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Wells Fargo Bank, N.A. and Federal
National Mortgage Association

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 WELLS FARGO BANK, N.A.; FEDERAL
13 NATIONAL MORTGAGE ASSOCIATION;
14 and FEDERAL HOUSING FINANCE
15 AGENCY,

16 Plaintiffs,

17 vs.

18 MEADOWRIDGE HOMEOWNERS
19 ASSOCIATION; PHIL FRINK AND
20 ASSOCIATES, INC.; and NADINA
21 BEVERLY, as Trustee of the Beverly Blair
22 Meadowridge Trust,

23 Defendants.

24 NADINA BEVERLY, Trustee for the Beverly-
25 Blair Trust No. 7,

26 Counterclaimant,

27 vs.

28 WELLS FARGO BANK, N.A.; FEDERAL
NATIONAL MORTGAGE ASSOCIATION, a
government sponsored enterprise; FEDERAL
HOUSING FINANCE AGENCY, as
Conservator of Federal National Mortgage
Association,

Counter-Defendants.

MEADOWRIDGE HOMEOWNERS
ASSOCIATION,

Cross-Complainant,

vs.

PHIL FRINK AND ASSOCIATES, INC.,
Cross-Defendant.

CASE NO. 3:15-cv-00601-RCJ-VPC

[PROPOSED] FINAL JUDGMENT

<input checked="checked" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
JUL 12 2017	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

1 Final judgment is hereby entered in favor of Plaintiffs Wells Fargo Bank, N.A., the
2 Federal National Mortgage Association, and the Federal Housing Finance Agency. Plaintiffs are
3 entitled to summary judgment on their quiet title claim pursuant to *Bourne Valley Court Trust v.*
4 *Wells Fargo Bank, N.A.*, 832 F.3d 1154 (9th Cir. 2016), which holds that NRS Chapter 116's
5 opt-in notice scheme for homeowners' association foreclosure sales is facially unconstitutional
6 under the Due Process Clause of the Fourteenth Amendment of the United States Constitution.

7 The homeowners' association foreclosure sale at issue here did not affect or extinguish
8 the deed of trust encumbering real property located at 6369 Meadow Crest Circle, Reno, Nevada
9 89509, recorded on October 11, 2004 as Doc. # 3110677 in the Washoe County Recorder's
10 Office (the "Deed of Trust"). Accordingly, the Deed of Trust survived the homeowners'
11 association foreclosure sale. Any interest in this property obtained by Nadina Beverly, as
12 Trustee of the Beverly Blair Meadowridge Trust, was subject to the Deed of Trust until the Deed
13 of Trust foreclosure sale on December 16, 2013, at which Federal National Mortgage
14 Association was the highest bidder. Title is quieted in favor of Federal National Mortgage
15 Association.

16 The remainder of Plaintiffs' claims are dismissed without prejudice.

17
18 **ORDER**

19 **IT IS SO ORDERED AND ADJUDGED**

20 
21 UNITED STATES DISTRICT COURT JUDGE

22 DATED: July 12, 2017
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CERTIFICATE OF SERVICE

Pursuant to F.R.C.P. 5(b) and Electronic Filing Procedure IV(B), I certify that on June 28, 2017, a true and correct copy of the **[PROPOSED] FINAL JUDGMENT**, was transmitted electronically through the Court's e-filing electronic notice system to the attorney(s) associated with this case. If electronic notice is not indicated through the court's e-filing system, then a true and correct paper copy of the foregoing document was delivered via U.S. Mail.

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/s/ Pamela Carmon
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